

2006 Annual Report

Conservation Commission and Environmental Compliance

The Conservation Commission and the Environmental Compliance Officer annual reports have been combined into one report to reflect the organizational reality and efficiency achieved by combining the duties of the Conservation Agent and the Environmental Compliance Officer into one position. The outcome of the change made the environment a routine consideration in Town Board and Commission deliberations resulting in broader reviews and more sustainable decisions. The Conservation Commission/Environmental Compliance annual report includes a summary of the achievements of the Conservation Commission and includes a summary of the achievements of the Environmental Compliance Office.

But first, the Conservation Commission would like to thank its fellow Commissioner Randy Johnson for almost 30 years of volunteer service to it and to the town of Natick. Randy decided not to seek reappointment to the Commission last fall. His expertise, experience and professionalism will be missed by his fellow Commissioners. Randy - thanks, good luck, and we wish you the best – your fellow Commissioners.

Conservation Commission Oversight and Protection of Wetland Resources

By way of background, the Conservation Commission is comprised of seven members appointed by the Town Board of Selectmen. The present Commission members have varying backgrounds, including biology, architecture, environmental law, teaching, civil engineering, environmental science and engineering and landscaping. The primary responsibility of the Commission is to implement and enforce Article 31- the Natick's Wetland Bylaw and Regulations, the Massachusetts Wetlands Protection Act and Regulations (Chapter 131, section 40 and 310 CMR 10.58), the Rivers Protection Act (310 CMR 10.58), and the state Best Management Practices for the Storm Water Management Policy, as well as to acquire and protect open space. In addition, the Commission advises the Selectmen on matters that relate to the Aquifer Protection District, the Agricultural Preservation Act and on various wildlife issues.

A half-time Conservation agent and half-time support staff provides assistance to the Commissioners and the public on a daily basis. They provide support for semimonthly Commission meetings and frequently held Subcommittee meetings and answer questions from the public and professional communities. They also provide technical assistance and research on environmental issues, schedule hearings, prepare decisions made by the Commission, keep minutes and perform site inspections. Additional projects completed by staff include assisting on the Open Space Plan, completing grant applications and implementing special environmental projects.

Accomplishments this year include:

- **The non-chemical treatment for Lake Cochituate:** The Commission continues to work with DCR to find and test non-chemical solutions to control nuisance weeds found in the Lake. Presently, there are two solar-powered pond water circulators located on the Lake to test the effectiveness of this non-chemical technology for combating the nuisance weed problem. The Natick Conservation Commission denied the state Department of Conservation and Recreation (DCR) Plan to control nuisance levels of aquatic plant in Lake Cochituate, specifically Variable and Eurasian milfoil and curlyleaf pondweed, with various herbicide chemical treatments because of the potential risk of contaminating two of the Town's drinking water supply wells, Springvale and the Evergreen wells. The Commission's decision was appealed to the state Department of Environmental Protection (DEP) and the DEP agreed with Commission and affirmed its denial of the DCR Plan to treat invasive plants in the Lake with various herbicides.

- **The Approval of Routine Operations and Maintenance plan for the DPW:** The Natick Conservation Commission approved and issued conditions covering the routine operations and maintenance activities completed by the Public Works in and around wetland resource areas. The approved plan identifies the routine O&M activities, the location of wetland resources and Best Management Practices to minimize impacts to the wetland areas and buffer zones.
- **The oversight of Landfill/Golf Course maintenance:** The Commission continues to monitor the Order of Conditions (OOC) for the Golf Course. Over the past year the Commission has reviewed the Integrated Pest Management Plan (IPM) Report and the Phragmites Control Plan and has worked with the Parks and Recreation Department to construct a new club house for the Golf Course.
- **The oversight of the Conservation Commission Website:** The Commission is continuing to maintain the Conservation Website, which includes the General Wetlands Protection Rules and Regulations and Fee Schedule, and answers to Frequently Ask Questions (FAQ) regarding wetlands. In addition, the website includes the Wetland Bylaw, a procedures Memo, Agendas, and a member list. Other associated information, like the Aquifer Protection District map, the Open Space map and the Pegan Cove Trail map, and the new Stormwater Bylaw and Regulations can be found on the Natick website at the Conservation Commission link at www.natickma.gov.
- **Open Space Additions and Improvements:** Over the past year the Commission has approved Open Space monies: to establish surveyed property lines on three Town owned Conservation properties (\$5,000); to establish trail maintenance fund (\$10,000); to complete necessary due-diligence work and deposit on property abutting the possible CSX rail trail (\$55,000). Furthermore, the Commission is participating on the Cochituate Rail Trail Task Force. The Task Force is evaluating Town options in reusing the abandoned the CSX Saxonville rail line.

Over the past year, the Commission held 21 meetings to review projects subject to the Massachusetts Wetlands Protection Act and the Natick Wetland Bylaw in which they issued 18 Orders of Conditions, 2 Order of Condition Amendments, 23 Determinations of Applicability, 18 Certificates of Compliance, 6 Order of Conditions Extensions, 11 Plan Changes, 6 Enforcement Orders and 2 public hearings for the new Stormwater Regulations and the enforcement amendments to the Wetland Regulations.

And finally, the Commission continues to encourage potential applicants with marginal/potential wetland issues to come and talk to the Commission to determine if any type of filing is necessary. This gives the person a sense of the Commission's concerns they will need to address in the filing. This informal discussion, which occurs during the first half hour of the Commission's semimonthly meetings, should reduce the number of negative determinations and improve the overall quality of the filings for applicants who are not familiar with the filing process. The net effect of this effort will be fewer filings and less time spend in deliberations. The Commission has had 50 potential applicants take advantage of informal discussions. This is a two fold increase over the number of informal discussion in years past. About one half of these applicants were asked to return to the Commission with filings.

New Requirements for Stormwater and Wetland Protection will help Protect Natick's Water Resources

Over the past year the Natick Conservation Commission has added two new requirements to help protect Natick's valuable water resources. The new federally required Stormwater

Requirements and the new enforcement amendments to the Wetland Regulations will help prevent contaminants from polluting Natick's rivers, streams and wetlands.

On May 9, 2006, the Natick Town meeting body voted to amend its By-Laws adding to them the new Stormwater Management and Erosion Control By-Law (the "Stormwater By-Law") and on September 21, 2006, the Natick Conservation adopted new Stormwater Regulations effectuating the purpose of the Stormwater By-Law. Copies of both the Stormwater By-Law and the Stormwater Regulations are found on the Natick website at the Conservation Commission's link at www.natickma.gov. Under the new Stormwater requirements any new construction, development or home improvement project that disturbs an area of land over 40,000 square feet may require the filing of a Land Disturbance Permit application with the Natick Conservation Commission. The application should detail the plan to control erosion of land during construction and the plan to manage stormwater on-site over the long term. Lesser land areas of disturbance are covered by the new Stormwater Requirements as well, but only require techniques to control land erosion during construction.

On September 7, 2006, The Natick Conservation Commission approved an amendment to the Wetland Regulations adding to them the option of issuing monetary fines (penalties) for violations (e.g. failure to obtain prior approval from the Conservation Commission for work in a wetland resource area) to the Natick's Wetland By-Law. The ability to issue a fine, up to \$300 for each violation of the wetland requirements, is an important addition to the Conservation Commission's efforts to protect Natick's water resources and wetlands.

Environmental Innovation at the Springvale Water Treatment Plant

The Water and Sewer Division completed a major upgrade of the Springvale Water Treatment Plant off of Route 9. The upgraded Plant is more complex in how it treats water, and must meet a myriad of new environmental requirements and standards. The Division is developing an Environmental Management System (EMS) to help manage the operation of the Plant, safely and in compliance with environmental requirements. The Division is using the international business standard called ISO 14000 to develop the EMS and is hoping to be one of the first municipal Water Purveyors in the nation to have its EMS certify under the ISO Environmental Management System Standard. The Division has started the ISO certification process and anticipates full certification to occur in the spring of 2007. A narrative summary of the Division's EMS can be found at the Natick Web-site on the DPW link: <http://natickma.gov/dpw>.

Reducing Emissions from Diesel Engines

The Planning Board used an Aquifer Protection District Special Permit issued for the Natick Mall Expansion project to help reduce emission from construction equipment. Construction sites are notorious for generating black smoke (caused by the sulfur content in the fuel) from construction equipment diesel engines. The implementation of the Planning Board Special Permit decision reduces the emissions from construction equipment; by requiring on-site diesel engines use cleaner burning low sulfur fuel, by requiring emission control equipment be added to diesel engine exhaust systems, and by requiring the Mall to monitor and reduce on-site truck idling. The end result of this cooperative effort is a reduction of tens of tons of air pollutants (black smoke) and the reduction of the resulting potential health and environmental impacts associated with the use of diesel engines.

The Natick Mall Expansion project has received special notice by the EPA sponsored Greater Boston Breathes Better group for its efforts to reduce emissions from construction sites. The Mall Expansion project is the only construction project outside of Route 128 to receive this attention and the state Executive Office of Environmental Affairs is looking at Natick as an example on how local efforts can control this source of air pollution.

The Vehicle Maintenance Division is doing its part to reduce emissions from diesel engines. The Division switched to Ultra Low Sulfur Fuel (ULSF) to run the Town fleet of diesel engine trucks. ULSF reduces sulfur (black smoke) emissions by 80% to 90%. In addition, the Division applied for and received state funding to add emission control equipment on two of its existing diesel engine trucks. The funding paid for the installation of a diesel oxidation catalyst (DOC) on each of two mid nineties model year Volvo diesel trucks. In combination with the use ULSF the expected emission sulfur reduction is well over 90%.

Managing Town Oil Tank Remediation Site

Finally, the Town continues to work on cleaning up its oil tank sites. No new sites have been added and of the original 19Town owned oil tank sites, only 3 sites remain in the monitoring phase of clean-up. The sites are the Lilja School Elementary School, the Natick Court House and the Murphy Recreation Park.

Randy Johnson Steps Down